

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

| | | |
|-------------------------------|---|-------------------------|
| In the Matter of |) | |
| |) | |
| Judith Judware, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | File No. IC-02-I0013921 |
| |) | |
| Verizon Communications, Inc., |) | |
| |) | |
| Defendant. |) | |

ORDER

Adopted: October 28, 2004

Released: November 1, 2004

By the Deputy Chief, Market Disputes Resolution Division, Enforcement Bureau:

1. On November 18, 2002, Judith Judware (“Judware”) filed an informal complaint against Verizon Communications, Inc. (“Verizon”) pursuant to section 208 of the Communications Act of 1934, as amended, 47 U.S.C. § 208, and sections 1.716 – 1.718 of the Commission’s rules, 47 C.F.R. §§ 1.716 – 1.718. On March 24, 2003, Verizon submitted its response to the informal complaint. Pursuant to section 1.718 of the Commission’s rules,¹ the Complainant is required to convert its informal complaint into a formal complaint within six months of the date that the Defendant replies to the informal complaint, or such informal complaint will be deemed to be abandoned. In this case, Judware was required to convert the informal complaint into a formal complaint by September 24, 2003. Based on several subsequent extensions, which were based on joint requests by the parties, this date was later extended to November 1, 2004.²

¹ 47 C.F.R. § 1.718.

² See *Judware v. Verizon*, *Order*, DA 04-2837, 2004 WL 1944886 (F.C.C.) (September 1, 2004); *Judware v. Verizon*, *Order*, DA 04-1874, 2004 WL 1432325 (F.C.C.) (June 24, 2004); *Judware v. Verizon*, *Order*, DA 04-1099, 2004 WL 877367 (F.C.C.) (April 26, 2004); *Judware v. Verizon*, *Order*, DA 04-577, 2004 WL 369089 (F.C.C.) (February 27, 2004); *Judware v. Verizon*, *Order*, DA 03-4110, 2003 WL 23095472 (F.C.C.) (December 31, 2003); Letter from Warren Firschein, Attorney, Market Disputes Resolution Division, Enforcement

2. On October 21, 2004, Judware and Verizon filed a joint request seeking an additional extension of the period for converting Judware's informal complaint into a formal complaint pursuant to 47 C.F.R. § 1.718. Specifically, the parties state they are currently engaged in settlement negotiations, and that an extension of the deadline to convert the informal complaint will enable them to continue those discussions. As a result, the parties request that the Commission extend the deadline to January 5, 2005. Furthermore, the parties indicate they will provide the Commission with a joint report covering the status of these discussions on or before November 19, 2004, and a second such report on or before December 17, 2004.

3. We are satisfied that granting the waiver request will serve the public interest by promoting the private resolution of disputes and by postponing the need for further litigation and expenditure of further time and resources of the parties and of this Commission until such time as may actually be necessary.

4. Accordingly, we hereby GRANT the parties' joint request for a further extension of the period for converting informal complaints under 47 C.F.R. § 1.718, and extend the deadline for Judware to convert her informal complaint to a formal complaint to January 5, 2004. Furthermore, the parties shall submit a joint status report covering the status of their discussions on or before November 19, 2004, and a second report on or before December 17, 2004. This report shall be addressed to:

Suzanne Perrin
Room 4-B522
Consumer and Governmental Affairs Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Bureau, FCC, to Christopher Karns, Attorney for Judware, and Marie Breslin, Attorney for Verizon, File No. IC-02-I0013921 (November 21, 2003); Letter from Warren Firschein, Attorney, Market Disputes Resolution Division, Enforcement Bureau, FCC, to Christopher Karns, Attorney for Judware, and Marie Breslin, Attorney for Verizon, File No. IC-02-I0013921 (September 29, 2003).

5. This Order is issued pursuant to sections 4(i), 4(j), and 208 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 208, and sections 1.3 and 1.718 of the Commission's rules, 47 C.F.R. §§ 1.3, 1.718, and the authority delegated in sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111, 0.311.

FEDERAL COMMUNICATIONS COMMISSION

Radhika V. Karmarkar
Deputy Chief, Market Disputes Resolution Division
Enforcement Bureau